

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

CASE NO. 05-10019-RGS

DANIEL W. McELROY and)
AIMEE J. KING McELROY)

DEFENDANTS, DANIEL W. MCELROY AND
AIMEE J. KING MCELROY RENEWED MOTION FOR JUDGMENT OF
ACQUITTAL AND REQUEST FOR ORAL ARGUMENT

The Defendants, Daniel W. McElroy and Aimee J. King McElroy, renew their Motion for Judgment of Acquittal pursuant to Federal Rule of Criminal Procedure 29(c)(1) and move this Court to enter a Judgment of Acquittal on all counts because the evidence in the case was insufficient to sustain a conviction.

The Defendants in accordance with the order of the Court on February 13, 2008 will file a brief in support of this motion by March 6, 2008.

The Defendants further request a hearing on the Motion in order to assist the Court in making its ruling.

Respectfully submitted:
AIMEE J. KING McELROY
By her attorney,



Jack I. Zalkind (BBO# 538840)
One International Place
Boston, MA 02110
Telephone No. (617) 227.3950

DATED: February 20, 2008

Respectfully submitted
DANIEL McELROY,
By his attorney,



Stephen R. Delinsky (BBO# 119120)
ECKERT SEAMANS, CHERIN & MELLOTT, LLC
One International Place, 18th Floor
Boston, MA 02110
Telephone No. (617) 342.6800

{K0364567.1}

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on 2-20-08

By: 